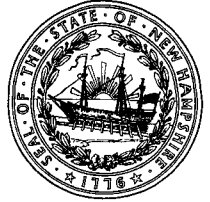




June 10, 2005

The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner



Mr. Wayne Presby
MWH Preservation LTD Partner
NH Route 302
Bretton Woods, NH 03561

LETTER OF DEFICIENCY #WSEB 05-069
CERTIFIED MAIL #7099 3400 0003 0690 2251

Subject: Carroll - Mount Washington Hotel and Resort, NH Route 302, Wastewater Disposal System Failure (DES #198710018)

Dear Mr. Presby:

On May 31, 2005, the Department of Environmental Services (DES) conducted a routine inspection of the Mount Washington Hotel and Resort's (MWHR) wastewater treatment and disposal facility. During this visit DES documented evidence of wastewater disposal field failure. The site conditions indicated wastewater overflowing the fields (and d-boxes) creating surface ponding and some runoff. Further, the wastewater is not disinfected and the areas where wastewater is breaking out onto the ground surface are adjacent to the public golf course. This poses an immediate and significant health risk.

This situation has placed the facility in violation of:

1. RSA 485-A:13 by discharging wastewater to the ground and ground water without a current groundwater discharge permit;
2. RSA 485-A:37 by not operating a subsurface disposal system in such a manner as to prevent a nuisance or potential health hazard due to failure of the system; and
3. Env-Ws 1023.05 by operating a disposal system in failure with effluent on the ground surface and taking no corrective action.

DES believes future violations can be prevented by taking the following action:

1. **By June 17, 2005 establish fencing and do not enter signage between the adjacent golf course areas and the disposal areas to prohibit guests and employees from entering the area;**
2. **By June 17, 2005 install and institute disinfection of all wastewater discharged to the disposal fields;**
3. **By July 8, 2005 submit in writing the specific actions taken or to be taken to correct this unrestricted access and disposal field flooding and runoff conditions;**

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4. **By July 8, 2005 submit to DES a schedule to determine the causes of the wastewater disposal system failure and a timetable to construct additional wastewater disposal areas; and**
5. **By July 15, 2005 submit to DES a schedule to submit a completed groundwater discharge permit application with supporting information.**

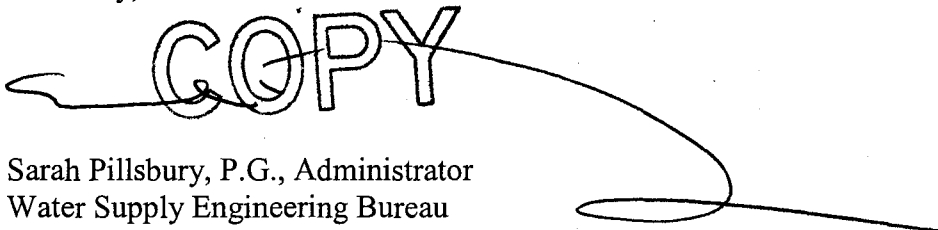
In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All correspondence and documentation as requested should be addressed as follows:

Mitchell D. Locker
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact Mitchell Locker by e-mail at mlocker@des.state.nh.us, or by phone at (603) 271-2858 if you have any questions regarding this Letter of Deficiency.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "COPY" written over a signature line.

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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cc: Michael P. Nolin, Commissioner
Gretchen Hamel, DES Legal Unit
Rene Pelletier, Manager LRMP
Brandon Kernen, WSEB
Stephen Roy, WSEB
John Bush, WEB
Stanley Borkowski, Carroll Health Officer
GWP File #198710018